

### **REMARKS**

Pursuant to the Final Office Action mailed on August 14, 2006, a Request for Continuing Examination (RCE) was filed, together with a Request for Reconsideration on February 14, 2007. The undersigned respectfully requests that the foregoing claim amendments be entered and the following remarks be considered by the Examiner.

### **Interview Summary**

The undersigned wishes to express his appreciation to the Examiner for the courtesy of the telephonic interview on March 22, 2007. The inventor Paul Norman participated in the telephonic interview with the undersigned and the Examiner. The Examiner commented that the proposed claim amendments appeared to bring the claims closer to allowable status, but that no definite answer as to the allowability of any particular claim(s) could be given without further considering the claim amendments and the cited art.

### **REJECTION UNDER 35 U.S.C. § 112**

In the final office action, claims 1-7, 9-13, 15, 17-25 and 27-33 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for various reasons. In response thereto, minor amendments have been made to claims 1 and 13 to remove any possible instance of a lack of antecedent basis for the claim limitations used in these claims. Reconsideration is therefore respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-7, 9-13, 15, 17-25 and 27-33 stand rejected under 35 U.S.C. § 103 as being unpatentable over Day et al. (U.S. Pat. No. 5,665,450) in view of Marini (U.S. Pat. No. 2,322,582) and further in view of Padden (U.S. Pat. No. 5,500,272). For the following reasons, reconsideration and withdrawal of this rejection is respectfully requested. Initially, it will be noted that minor amendments have been made to independent claim 1 to more positively point out in the preamble that the method is for forming a structural panel for an airborne mobile platform. Claim 1 has also been amended to more positively recite "a plurality of non-fibrous, non- translucent" metal sheets which are used to form a frame structure. Still further, Claim 1 has been amended to recite "interleaving a plurality of layers of generally optically transparent, fiber pre-impregnated resin tape between the metal sheets to substantially cover an entire surface portion of each one of the metal sheets, with the layers of pre-impregnated resin tape extending to substantially outer peripheral edges of the metal sheets". It is respectfully requested that this structure is not disclosed or rendered obvious by the Day et al./Marini/Padden combination of patent references. As noted in prior responses, the Padden patent does not involve the formation of a window. There is also nothing in the Padden patent to suggest its desirability for forming a frame portion of a window, where the frame portion is "interleaved" with metal sheets.

Marini involves manufacturing a structure having a pair of glass plates (2) that sandwich a layer of plastic (4). The plastic does not appear to extend out past the peripheral edges of the glass plates, as visible in Figure 2, but rather stops short inwardly of the outer periphery of the glass plates 2. A fibrous metal wire or fabric mesh (5) is inserted in the peripheral slot formed by the glass plates 2 and the outer edge of

the plastic layer 4. A metal strip extends outwardly from the glass plates but is not covered by the layer of plastic. Furthermore, the glass plates only appear to extend over a minimal portion of the metallic wire fabric or mesh. In addition, the metallic fiber or wire mesh is not "interleaved" so as to sandwich one or more pre-impregnated resin tape layers. In fact, the fibrous layer in Marini does not "sandwich", or is not "interleaved", around the layer of plastic, but rather is only arranged around the peripheral edge of the layer of plastic, as noted in Figure 2.

In Marini, it will also be noted that the transparent glass plates 2 are not intended to be fastened to when the assembly is integrated into another structure; that is the function of the fibrous metal layer that extends out from the periphery of the glass layers. With the present method, the optically transparent fiber prepreg layers extend out over, and cover, the metal sheet layers. As such, they form a unitary assembly that is able to be grasped (for attachment purposes) to other structure when the fully formed structural window panel is assembly to the other structure. Put differently, the full thickness around the periphery of the structural window panel is able to be used to attach the structural window panel to another structure (e.g., a fuselage of an aircraft or rotorcraft).

Accordingly, the presently claimed method involves forming a window structure that is fundamentally different from what is shown in the Day et al./Marini/Padden patent combination.

With regard to independent claim 13, it would be noted that minor amendments have been made to more positively recite that the pre-impregnated resin tape completely covers the openings and overlays substantially an entire outer surface of the

metal sheet. Again, this arrangement is not set forth in the Day et al./Marini/Padden patent combination of references.

For at least the foregoing reasons, reconsideration and withdrawal of the Section 103 rejection of independent claims 1 and 13 is most respectfully requested.

#### **DOUBLE PATENTING**

The Examiner noted that should claims 18-21 be found allowable, claims 23-24 and 27-28 will be objected to under 37 C.F.R 1.75 as being a substantial duplicate thereof. Similarly, claims 1-7, 9-13, 15, 17-25 and 27-22 have been provisionally rejected on the grounds of obviousness-type double patenting over claims 17-20 of co-pending application 11/316,173, in view of Day et al.

Reconsideration of the foregoing double patenting rejection of claims 18-21 as well as the provisional obviousness-type double patenting rejection, is most respectfully requested, in view of the amendments made to independent claims 1 and 13. With specific regard to dependent claims 23-24 and 27-28, since these claims will be interpreted to include the limitations of independent claim 13, and in view of the amendments made to independent claim 13 herein, it is believed that this rejection has been rendered moot.




### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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